

Notice of Allowability

Application No.

10/051,517

Applicant(s)

FORRESTER, TIM

Examiner

Art Unit

Meless N. Zewdu

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/24/08.
2. ☒ The allowed claim(s) is/are 1-8, 11-14, 17-26, 29-32, 43-44, 46, 49-51, 53-57, 59 AND 61-72.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>4/4/08</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date ____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other ____. |

DETAILED ACTION

Response to Amendment

1. This action is in response to the communication filed on 1/24/08.
2. Claims 9, 10, 15, 16, 27, 28, 33-42, 45, 47, 48, 52, 58 and 60 were previously cancelled.
3. Claims 1-8, 11-14, 17-26, 29-32, 43-44, 46, 49-51, 53-57, 59 and 61-72 are pending in this action.
4. Claims 1-8, 11-14, 17-26, 29-32, 43-44, 46, 49-51, 53-57, 59 and 61-72 are allowed.
5. The drawings filed on 1/16/02 have been approved by the examiner.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with George W. Luckhardt (Reg. No. 50,519) on 4/4/08.

The application has been amended as follows:

Please amend the claims as follows:

In each of claims 6-8, 18, 19, 25 and 26 on line 1, change "information" into -- satellite information ---,

In claim 11, on line 3, change "a position" into --- the position ---,

In claim 11, on line 5, change "the position" into --- the determined position ---,

In claim 12, on line 3, change "receiving, from a base station, GPS" into --- receiving, at a GPS enabled device, from the base station, a GPS ---,

In claim 12, on line 6, "information" into --- information at the GPS enabled device ---,

In claim 12, on line 7, replace the entire line with --- receiving, at the GPS enabled device, a position request from the base station; ---,

In claim 12, on line 8, change "GPS satellites" into --- the GPS satellite ---,

In claim 12, on line 9, change "request" into --- request from the base station ---,

In claim 12, on line 10, change "satellites" into --- satellite ---,

In claim 12, on line 13, modify "receiving, from the base station" into --- at the GPS enabled device, receiving from the base station ---,

In claim 20, on line 2, cancel the words "locate, and",

In claim 20, on line 3, change "satellites" into --- satellites and locate a position of a GPS enabled device ---,

In claim 20, on line 4, change "satellite" into --- satellites ---,

In claim 20, at the end of line 4, change "a" into --- the ---,

In claim 20, on line 5, change the phrase "device at a time that" into --- device, wherein the transmission ---,

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In claim 20, on line 5, change "request" into --- request from the GPS enabled device ---

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In claim 20, on line 10, change "position" into --- position signals ---,

In claim 30, on line 6, change "a position" into the position ---,

In claim 30, on line 8, change "the position" into --- the determined position ---,

In claim 43, on line 2, change "GPS satellite" into --- a GPS satellite ---,

In claim 43, on line 4, change "request" into --- request from the GPS enabled device ---,

In claim 43, on line 7, change "request" into --- request from the base station ---,

In claim 43, on line 8, change "GPS satellites" into --- the GPS satellite ---,

In claim 43, on line 8, change "receive position" into --- receive the position ---,

In claim 51, on line 3, change "GPS satellite" into --- a GPS satellite ---,

In claim 51, on line 4, change "a GPS" into --- the GPS ---,

In claim 51, on line 5, change "information" into --- information to a GPS enabled device

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In claim 51, on line 6, change "a GPS" to -- the GPS ---,

In claim 51, on line 7, change "receive, from the base station," into --- receive ---,

In claim 51, on line 12, cancel "device",

In claim 51, on line 12, change "the position" into --- a position ---,

In claim 51, on line 13, change "request" into --- request from the base station ---,

In claim 51, on line 13, change "GPS satellites" into --- the GPS satellite ---,

In claim 51, on line 14, change "receive position" into --- receive the position ---,

In claim 51, on line 14, change "satellites" into --- satellite ---,

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In claim 54, on line 2, change “and” into and further ---,

In claim 54, on line 3, cancel wherein the base station is”,

In claim 55, on line 3, change “and wherein the base station is” into --- and further ---,

In claim 59, on line 3, change “satellites” into satellite ---,

In claim 63, on line 2, change “a position” into --- the position ---,

In claim 64, on line 7, change “a position” into --- the position ---,

In claim 64, on line 9, change “the position” into --- the determined position ---,

In claim 67, on line 4, change “request” into --- request from the GPS enabled device ---,

In claim 67, on line 9, change “signals” into --- signals received from the GPS enabled device ---,

In claim 67, on line 9, change “the position” into --- the determined position ---,

In claim 68, on line 3, replace "the base station" with --- and further ---,

In claim 69, on line 2, change “access” into an access ---,

In claim 70, on line 2, change “sensitivity” into --- a sensitivity ---,

Allowable Subject Matter

Claims 9, 10, 15, 16, 27, 28, 33-42, 45, 47, 48, 52, 58 and 60 are allowed.

The following is an examiner’s statement of reasons for allowance:

As per claims 9, 10, 15, 16, 27, 28, 33-42, 45, 47, 48, 52, 58 and 60: the claims are directed to determining the location of a GPS enabled device. The prior art of record does not teach or fairly suggest a technique of using a base station assisted

determination of the location of the GPS enabled device without the GPS enabled device requesting for the location information, as recited in claims 1, 12, 20, 43, 51 and 67, and further argued by applicant.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Meless N. Zewdu whose telephone number is (571) 272-7873. The examiner can normally be reached on 8:30 am to 5:00 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bost Dwayne D can be reached on (571) 272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2600.

/Meless N Zewdu/
Primary Examiner, Art Unit 2617
4/10/2008